

Notice of Allowability

Application No.

10/790,335

Applicant(s)

WALL, JOHN W.

Examiner

Art Unit

Matthew O. Savage

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 2-8-05.
2. ☒ The allowed claim(s) is/are 10-12, and 24-40 renumbered 1-20, respectively.
3. ☒ The drawings filed on 01 March 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Matthew O Savage
Primary Examiner
Art Unit: 1724

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Kevin D. Bailey on 4-4-05.

10. (Currently Amended) A center tube for use with an oil filter cap which has a detent button operable to release said center tube from said filter cap, said center tube comprising:

a tube body having a perforated portion defining a number of orifices;

a post having a first end portion and a second end portion which is configured to be contacted by said detent button, wherein said second end portion of said post comprises a spheroid-shaped member ~~[[configured as a ball]]~~ having a maximum diameter that is larger than a minimum diameter of the post, said minimum diameter being located axially between the spheroid-shaped member and tube body; and

a closure wall secured to the tube body and the first end portion so as to be located between the perforated portion and the ~~[[ball]]~~ spheroid-shaped member, the closure portion being imperforate so as to close an open end of the perforated portion without use of the post.

30. (Currently Amended) A center tube for use with an oil filter cap which has a

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detent button operable to release said center tube from said filter cap, said center tube comprising:

a tube body having a perforated portion defining a number of orifices;

a post that has a spheroid-shaped member having a maximum diameter greater than a minimum diameter of the post, said minimum diameter being located axially between the spheroid-shaped member and tube body, said spheroid shaped member being configured [[as a ball]] to be contacted by said detent button; and

a closure portion secured to the tube body and the post so as to be located between the perforated portion and the [[ball]] spheroid-shaped member, the closure portion being imperforate so as to close an open end of the perforated portion without use of the post.

33. (Currently Amended) The center tube of claim 30, wherein the post comprises (i) a base secured to [[an inner surface of the tube body]] the closure portion and (ii) a neck-down portion interconnecting the base and the spheroid-shaped member.

35. (Currently Amended) A center tube for use with an oil filter cap which has a detent button operable to release said center tube from said filter cap, said center tube comprising:

a tube body that is adapted to internally support a filter and comprises a number of orifices defined therein; and

a post that is secured to said tube body and comprises ~~[[a ball shaped as]]~~ a spheroid having a maximum diameter greater than a minimum diameter of the post, said minimum diameter being located axially between the spheroid and the tube body, said spheroid being ~~[[and]]~~ adapted to be contacted by said detent button.

36. (Currently Amended) The center tube of claim 35, wherein the center tube has a central axis, said ~~[[ball]]~~ spheroid comprises a spherical axial end surface facing axially relative to said central axis, and said axial end surface is convex and adapted to be mate against a concave surface of said detent button.

40. (Currently Amended) The center tube of claim 35, wherein at least a portion of said ~~[[ball]]~~ spheroid is positioned outside of said tube body.

The paragraph starting on line 4 of page 1 of the specification has been amended as follows:

--.This application is a divisional of co-pending U. S. Patent Application No. 10/102,132 which was filed on March 20, 2002, now U.S. Patent No. 6,770,196, and is hereby incorporated by reference herein.--.

The paragraph beginning on page 6, line 30 has been amended as follows:

-- As shown in FIG. 5, the post 66 has a spheroid-shaped member 66 defined therein. Illustratively, the spheroid-shaped member 66 ~~[[is configured as a ball having a~~

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sufficiently spherical shape to facilitate attachment and detachment of center tube 24 to and from cap 22]] has a maximum diameter greater than a minimum diameter 89 of the post 66, the minimum diameter being located axially between the spheroid 68 and a base or closure portion 88 of the tube body 90. The detent button 52 is configured to contact the spheroid-shaped member 68 when the detent button 52 is depressed by a user. Specifically, as shown in FIG. 5, the end portion 54 of the detent button 52 has [[an]] a concave arcuate surface 70 designed therein. The arcuate surface 70 substantially conforms to the outer convex spherical axial end surface of the spheroid-member 68. As such, the force generated by the user depressing the detent button 52 may be effectively transferred to the spheroid-member 68 and hence the center tube 24.--.

The paragraph beginning on page 7, line 7 has been amended as follows:

--The post 66 comprises a base or closure portion 88 and [[a]] the minimum diameter or neck-down portion 89 interconnecting the base 88 and the spheroid-shaped member 68, as shown, for example, in Fig. 5. The base 88 is secured to the tube body 34 between a perforated sleeve 90 of the tube body 34 and an imperforate sleeve 91. The perforated sleeve 90 defines the orifices 38. The imperforate sleeve 91 and a flange 92 extending radially outwardly therefrom surround the post 66. The post 66 and the tube body 34 are coaxial relative to an axis 93. A closure portion or wall secured to the post 66 and the tube body 34 closes an end opening of the perforated sleeve 90

without use of the post 66 to block fluid communication between filtered fluid located within the filter 20 and unfiltered fluid located outside the filter 20.--.

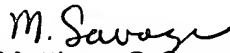
The following is an examiner's statement of reasons for allowance: Stockhowe et al, and Wagner et al taken in combination with Burton are considered the closest prior art. Stockhowe et al fail to teach or suggest the limitation of a post that is secured to the tube body including a spheroid having a maximum diameter greater than a minimum diameter of the post with the minimum diameter being located axially between the spheroid and the tube body as recited in instant claims 10, 30, and 35. Additionally, there is no teaching or suggestion to combine center tube structure of Wagner et al with the spheroid shaped member of Burton since Burton fails to teach or suggest connecting a spheroid shaped member to parts of a fluid filter.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew O. Savage whose telephone number is (571) 272-1146. The examiner can normally be reached on Monday-Friday, 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Matthew O Savage
Primary Examiner
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Mos
April 4, 2005